

**TOWN OF DAVIE  
WORKSHOP MEETING  
JUNE 24, 1998**

The meeting was called to order at 5:37 p.m. Present were Mayor Venis, Vice-Mayor Cox, Councilmembers Bush, Paul, and Weiner. Also present were Town Administrator Flatley, Town Attorney Webber, and Town Clerk Reinfeld recording the meeting.

**1. COMPETITIVE NEGOTIATIONS**

Mr. Webber provided an overview of an ordinance that he had prepared relating to the issue of competitive negotiations for franchises. Discussion ensued concerning single source and non-exclusive franchises and the need to build flexibility into the ordinance. Councilmember Weiner suggested changing the term "best" to "best responsible," enabling the Council to evaluate the bids in terms of value. Procurement Manager Herb Hyman, suggested a change of wording from "competitive bidding" to "competitive solicitation" and after some discussion, the term "competitive process" was suggested. Mr. Hyman explained the difference between a request for a bid and a request for a proposal with discussion following on how often an item was put out to bid, how long contracts should be, and whether every item should be put out for bid or negotiation.

Councilmember Paul proposed designing provisions for emergency situations. Mr. Webber suggested terminology such as, "if the Council deems that an emergency due to a failure of an existing franchise holder to perform," thereby giving the Council the authority under the ordinance to act.

**2. CHARTER ISSUES**

**2.1 Public Input at Council Meetings**

Mr. Webber gave an overview of a recommended change to Section 7 of the Charter in terms of adding the language, "the first meeting of the month shall make available at least one half hour at the beginning of the meeting for public input." Councilmember Paul indicated that the Charter Review Board had wanted the wording to be more specific such as "at least one meeting per month with a minimum of 30 minutes." A discussion was held as to whether it should be at the beginning, the middle, or the end of the meeting with it being decided that having public input at the beginning of the meeting was perhaps more efficient. Councilmember Weiner stated that he would like emphasis placed on public input to allow the public to have the entire thirty minutes, regardless of any responses given by Councilmembers that may take up some of the public's time. The consensus was that the Council and Mayor were sensitive, and no other language need be added.

**2.2 Fire Department**

Mr. Webber stated that the Charter Review Board had recommended that the Section 11 of the Charter regarding the Fire Department be changed so that it had the same provision as the Police Department. Councilmember Weiner mentioned that where the terminology "provides forfeiting services" was used, it should say, "provide forfeiting and/or rescue services." A discussion followed on how these changes would affect the joint power issue and independent contractor situation, versus partnership with other cities. It was decided that some language was necessary stating that any joint powers, pursuant to whatever authority they were created under, would not be deemed an independent contractor. Councilmember Paul suggested that the language regarding compensation be "cleaned up" and the language referring to the Fire Department as a "volunteer fire department" be updated.

**3. REGISTRATION OF LOBBYISTS**

Councilmember Weiner summarized the points of the ordinance as being registration fees, dates of registration, whom to register with, who would do the investigating, penalties, and inspection of registration documents. He allowed that there might be some changes in terms of whom to register with and it was decided that it could be the Town Clerk, along with the provision determining when the lobbyist could begin their activities. It was also decided that the investigating authority should be the Town Attorney and the Town Administrator. Vice-Mayor Cox had some problems with the definition part, particularly as it related to collective bargaining attorneys being exempt. Mayor Venis mentioned that Broward County's ordinance worked well for the County and suggested using that as a guideline along with incorporating some of Councilmember Weiner's thoughts. Language regarding the Council's decisions being made null and void was discussed, and Mr. Webber stated that he felt that

there should be some changes made in this provision. A discussion followed on the meaning of penalties in terms of fines versus suspensions and how to ensure that the principals were ascertaining that the lobbyist was filing papers, in order to avoid punishing a principal for some failure on the lobbyist's part. Another aspect of the ordinance dealt with financial disclosure and there was discussion as to what needed to be disclosed and when. It was decided that the language within the financial disclosure section would be changed to cover certain loopholes such as campaign volunteers, in kind campaign contributions, and paid compensation.

#### **4. PARKS BOND ISSUE AND REFERENDUM DATES**

Mr. Flatley asked for Council's approval to place the bond issue on the November 3rd ballot as placement on the September ballot did not appear to be a feasible. No objections were noted from Council. Mr. Flatley advised that at the July 1st Council meeting, documents listing the parks and improvements to the parks would be discussed under New Business.

#### **5. ADJOURNMENT**

There being no objection or further business, the meeting was adjourned at 7:26 p.m.

APPROVED \_\_\_\_\_  
Mayor/Councilmember

\_\_\_\_\_  
Town Clerk